

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

Caleb Whitfield,

Case No. 3:24-cv-01497

Plaintiff

v.

ORDER

Corrections Officer Runyan, et al.,

Defendants.

Pro se Plaintiff Caleb Whitfield, an inmate in the Toledo Correctional Institution, attempted to file this civil rights action in the United States District Court for the Southern District of Ohio. The Complaint pertains to events that occurred in Dayton, Ohio and is brought against Defendants who are all from Dayton, Ohio. Dayton is well within the geographic borders of the Southern District of Ohio. Plaintiff mailed his Complaint to the United States District Court for the Southern District of Ohio for filing (Doc. No. 1-4). Inexplicably, the Clerk's Office in the Southern District of Ohio opened the envelope but did not file the pleading. Instead, they placed the Complaint, Civil Cover Sheet, Summons and Marshal Forms along with the original envelope inside of a larger envelope and mailed it to this Court (Doc. No. 1-5). This action was clearly done in error.

The Plaintiff correctly determined that the Southern District of Ohio is the proper venue for this case. Venue for a civil case is proper only in (1) a judicial district where any Defendant resides, if all Defendants reside in the state in which the Court is located, or (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred. 28 U.S.C. § 1331(b). Both of these criteria mandate venue in the Southern District of Ohio. While the Plaintiff is currently incarcerated in a correctional institution in the Northern District of Ohio, the residence of

the Plaintiff is not pertinent when determining venue. The Northern District of Ohio has no relevant connection to this case.

Accordingly, this case is transferred to the United States District Court for the Southern District of Ohio (Dayton).

So Ordered.

s/ Jeffrey J. Helmick
United States District Judge